

AO 440 (Rev. 12/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Northern District of California

ORACLE AMERICA, INC.

Plaintiff

v.

MYRIAD GROUP AG

Defendant

CV10

E-filing

5604

Civil Action No.

HRL

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) MYRIAD GROUP AG
1900 South Norfolk Street
Suite 280
San Mateo, CA 94403-1511

FILED

DEC 14 2010

RICHARD W. VICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: JEFFREY M. SHOHET, Bar No. 067528

CHRISTOPHER J. BEAL, Bar No. 216579
DLA PIPER LLP (US)
401 B Street, Suite 1700
San Diego, CA 92101-4297

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: DEC 10 2010

CLERK OF COURT
Helen L. Almacen
Signature of Clerk or Deputy Clerk

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Civil Action No. 10-CV-5604 HRL

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* MYRIAD GROUP AG
 was received by me on *(date)* 12/10/2010

I personally served the summons on the individual at *(place)* _____
 on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
 , a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* Malcolm Dawe, Chief Products Officer _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* MYRIAD GROUP AG
 on *(date)* 12/10/2010; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ 0.00 for travel and \$ 0.00 for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: December 14, 2010


Server's signature

JEFFREY M. SHOHET, PARTNER
Printed name and title

DLA PIPER LLP US
401 B STREET SUITE 1700
SAN DIEGO, CA 92124

Server's address

Additional information regarding attempted service, etc: